

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CR. NO. 2:05CR166-F</b>
	)	
<b>JORGE GOMEZ</b>	)	

**MOTION TO APPOINT CJA PANEL COUNSEL**

COMES NOW the Federal Defender Office and undersigned counsel and moves for the appointment of CJA Panel counsel for Jorge Gomez.<sup>1</sup> In support of this motion undersigned counsel states:

1. On August 15, 2005, the Federal Defender Office was contacted by Jorge Gomez and his wife Elianna Gomez.
2. Both indicated that they would not be able to continue to afford the services of Al Alvarez, Esq., who has noticed an appearance as Mr. Gomez' counsel.
3. On August 16, 2005, undersigned counsel spoke with Al Alvarez who confirmed the Gomez' cannot afford his services and he stated he would be filing a motion to withdraw as counsel.
4. Mr. Gomez informed the Federal Defenders Office that he wished counsel be appointed to represent him.
5. As a result of a conflict, the Federal Defender Office cannot represent Mr. Gomez.
6. As Mr. Gomez no longer has counsel and the Federal Defenders Office cannot represent him as a result of a conflict, it is in the interest of justice and required under the

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<sup>1</sup> The Federal Defender Office cannot represent Mr. Gomez. This pleading is being filed pursuant to our obligation to assist indigent persons in obtaining representation from counsel.

Criminal Justice Act that panel counsel be appointed to represent Mr. Gomez.

WHEREFORE, Federal Defenders Office asks this Court to appoint CJA Panel counsel to represent Mr. Gomez.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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Montgomery, Alabama 36104  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 16, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Susan Redmond, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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